

## COLLEGE STUDENT AID COMMISSION[283]

### Notice of Intended Action

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of Iowa Code section 261.114, the Iowa College Student Aid Commission hereby gives Notice of Intended Action to amend Chapter 25, “Rural Iowa Advanced Registered Nurse Practitioner and Physician Assistant Loan Repayment Program,” Iowa Administrative Code.

These proposed amendments to Chapter 25 reflect changes to Iowa Code section 261.114 that were enacted in 2014 Iowa Acts, Senate File 2347, sections 2, 18 and 19.

Interested persons may submit comments orally or in writing by 4:30 p.m. on September 9, 2014, to the Executive Director, Iowa College Student Aid Commission, 430 East Grand Avenue, Third Floor, Des Moines, Iowa 50309-1920; fax (515)725-3401.

The Commission does not intend to grant waivers under the provisions of these rules.

After analysis and review of this rule making, the Commission finds that there could be a positive impact on jobs. This rule making provides incentives to physician assistants and advanced registered nurse practitioners to practice in designated service commitment areas in Iowa.

These amendments are intended to implement Iowa Code chapter 261.

The following amendments are proposed.

ITEM 1. Amend rule 283—25.1(261) as follows:

**283—25.1(261) Rural Iowa advanced registered nurse practitioner and physician assistant loan repayment program.** The rural Iowa advanced registered nurse practitioner and physician assistant loan repayment program is a state-supported and administered loan repayment program for applicants who agree to practice as advanced registered nurse practitioners or physician assistants in service commitment areas for ~~60~~ five consecutive ~~months~~ years and meet the requirements of these rules.

ITEM 2. Amend rule **283—25.2(261)**, definitions of “Advanced registered nurse practitioner,” “Eligible loan” and “Eligible university,” as follows:

“*Advanced registered nurse practitioner*” means an individual who graduated from a ~~doctorate of nursing practice degree~~ graduate-level credential program at an eligible university, holds a practitioner’s license to practice as an advanced registered nurse practitioner pursuant to Iowa Code chapter 152, and is employed in the practice of nursing in an eligible service commitment area.

“*Eligible loan*” means the advanced registered nurse practitioner’s or physician assistant’s total subsidized, unsubsidized, and consolidated Federal Stafford Loan amount under the Federal Family Education Loan Program, ~~or the~~ Federal Direct Loan Program, federal Graduate PLUS loan, or federal Perkins Loan, including principal and interest. Only the outstanding portion of a federal consolidation loan that was used to repay an eligible subsidized or unsubsidized Federal Stafford Loan qualifies for loan repayment.

“*Eligible university*” means ~~either the State University of Iowa Carver College of Medicine or Des Moines University College of Health Sciences~~ a college or university that meets the requirements of Iowa Code section 261.2, subsection 11, and is an institution of higher learning under the control of the state board of regents or an accredited private institution as defined in Iowa Code section 261.9. An eligible university must complete and return the forms to the commission to participate in the program.

ITEM 3. Adopt the following **new** definition in rule **283—25.2(261)**:

*“Surplus funds”* means funding available after the maximum award has been obligated to all recommended applicants in accordance with rule 283—25.3(261).

ITEM 4. Amend rule 283—25.3(261) as follows:

**283—25.3(261) Eligibility requirements.**

**25.3(1)** The commission will annually determine and communicate the number of physician assistant and advanced registered nurse practitioner recommendations that can be funded in each physician assistant studies degree program or doctorate of nursing practice degree program at each eligible university. The intent of this determination will be to ensure that an equal number of students in each program at an eligible university universities are able to enter into an agreement. Priority will be given to applicants who are Iowa residents upon enrolling in the eligible university. The criteria used by the state board of regents to determine residency for tuition purposes, Iowa Administrative Code rule 681—1.4(262), are adopted for this program. If fewer than the maximum number of recommendations of students in either a physician assistant studies degree program or doctorate of nursing practice degree program is physician assistants or advanced registered nurse practitioners are recommended at one an eligible university, the commission may obtain additional recommendations from the other eligible university universities to award the remaining agreements.

**25.3(2)** An applicant must enter into an agreement with the commission when during the applicant begins curriculum applicant’s final year of study leading to a doctor of nursing practice degree or a master’s degree in physician assistant studies eligibility for licensure as an advanced registered nurse practitioner or physician assistant.

**25.3(3)** An applicant must remain be enrolled on a full-time basis in each term of enrollment and graduate from an eligible university with a doctor of nursing practice degree or a master’s degree in physician assistant studies from an eligible university graduate-level credential that qualifies the applicant to work as a physician assistant or advanced registered nurse practitioner. The commission may waive the full-time enrollment requirement for a temporary time frame only in the instance of a leave of absence approved by an eligible university. The applicant must request a waiver from the commission in writing.

**25.3(4)** Within nine months of graduating with a doctor of nursing practice degree or a master’s degree in physician assistant studies from an eligible university, an applicant must receive a permanent license to practice nursing or to work as a physician assistant in the state of Iowa and engage in full-time practice, as defined by the service commitment area, as a an advanced registered nurse practitioner or physician assistant for a period of 60 five consecutive months years in a service commitment area.

**25.3(5)** An applicant must annually complete and return to the commission an affidavit of full-time enrollment at an eligible university and, when applicable, an affidavit of completion of the employment obligation in a service commitment area.

**25.3(6)** Prior to or upon engagement in full-time employment in a service commitment area, the advanced registered nurse practitioner or physician assistant must contract with the service commitment area to provide a nonrefundable \$2,000 contribution for deposit in the rural Iowa advanced registered nurse practitioner and physician assistant trust fund. Payment must be received by the commission from the service commitment area prior to payment of any loan repayment awards to the advanced registered nurse practitioner or physician assistant.

**25.3(7)** Failure by the applicant to meet all eligibility requirements under these rules and in the agreement will result in forfeiture of all remaining unpaid payments.

ITEM 5. Amend rule 283—25.4(261) as follows:

**283—25.4(261) Awarding of funds.**

**25.4(1)** Prior to accepting an offer of employment, the advanced registered nurse practitioner or physician assistant must notify the commission of the service commitment area in which the advanced

registered nurse practitioner or physician assistant will be employed, and the commission will verify the eligibility of the service commitment area.

**25.4(2)** The maximum award will be paid to the advanced registered nurse practitioner or physician assistant's eligible loan lender in ~~one installment~~ five equal installments, upon successful completion of ~~the 60-month~~ each of the five 12-month employment obligation obligations. Failure to complete all, or any portion, of the ~~60-consecutive-month~~ five-consecutive-year employment obligation will result in the forfeiture of all remaining unpaid payments. An advanced registered nurse practitioner or physician assistant who fails to meet the requirements of these rules may also be subject to repayment of moneys advanced by the service commitment area as provided in any contract between the advanced registered nurse practitioner or physician assistant and the service commitment area.

**25.4(3)** No loan repayment amounts will be paid until the service commitment area provides the nonrefundable \$2,000 contribution for deposit into the rural Iowa advanced registered nurse practitioner and physician assistant trust fund.

**25.4(4)** If surplus funds are available, the commission will accept applications from physician assistants and advanced registered nurse practitioners practicing full-time in service commitment areas. Recipient selections shall be evenly divided between physician assistants and advanced registered nurse practitioners, to the extent possible. If surplus funds are not sufficient to fund all applicants, physician assistant and advanced registered nurse practitioner applicants will be prioritized by Iowa residency status, full-time employment status, individuals working in a federally designated Health Professional Shortage Area (HPSA) or a Governor's Designated Rural Health Clinic county, total eligible student loan debt (highest receiving priority), and application date (earliest submitted receiving priority). Recipients will enter into agreements with the commission, and payments will be made in accordance with subrules 25.4(2) and 25.4(3).

ITEM 6. Amend rule 283—25.5(261) as follows:

**283—25.5(261) Waivers.**

**25.5(1)** *Service commitment area.* The commission may waive the requirement that the advanced registered nurse practitioner or physician assistant practice in the same service commitment area for ~~all 60 months~~ five years. The advanced registered nurse practitioner or physician assistant must request a waiver from the commission in writing.

**25.5(2)** *Full-time employment.* The commission may waive the requirement that the advanced registered nurse practitioner or physician assistant be employed full-time if the advanced registered nurse practitioner or physician assistant demonstrates exceptional circumstances. The advanced registered nurse practitioner or physician assistant must request a waiver from the commission in writing. If a waiver request is granted by the commission, the agreement will be amended to provide an allowance for part-time employment. The ~~60-month~~ five-year employment obligation will be proportionally extended to ensure the advanced registered nurse practitioner or physician assistant is employed in a service commitment area for the equivalent of ~~60~~ five full-time ~~months~~ years.

**25.5(3) and 25.5(4)** No change.

ITEM 7. Amend **283—Chapter 25**, implementation sentence, as follows:

These rules are intended to implement Iowa Code section 261.114 as amended by 2014 Iowa Acts, Senate File 2347.